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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN FIGGERS,

Defendant.

2:21-CR-202-JAD-BNW

Preliminary Order of Forfeiture

13 This Court finds Kevin Figgers pled guilty to Counts One through Six of a Six-Count
14 Criminal Information charging him in Counts One, Two, Four, and Five with interference
15 of commerce by robbery in violation of 18 U.S.C. § 1951; in Count Three with bank robbery
16 in violation of 18 U.S.C. § 2113(a); and in Count Six with brandishing a firearm during and
17 in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(ii). Criminal
18 Information, ECF No. 31; Plea Agreement, ECF No. 33; Change of Plea, ECF No. 35.

19 This Court finds Kevin Figgers agreed to the forfeiture of the property set forth in the
20 Plea Agreement and the Forfeiture Allegations of the Criminal Information. Criminal
21 Information, ECF No. 31; Plea Agreement, ECF No. 33; Change of Plea, ECF No. 35.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
23 States of America has shown the requisite nexus between property set forth in the Plea
24 Agreement and the Forfeiture Allegations of the Criminal Information and the offenses to
25 which Kevin Figgers pleaded guilty.

26 The following property is (1) any property, real or personal, which constitutes or is
27 derived from proceeds traceable to a violation of 18 U.S.C. § 1951, a specified unlawful
28 activity as defined in 18 U.S.C. § 1956(c)(7)(A) and 18 U.S.C. § 1961(1)(B), or a conspiracy

1 to commit such offense; (2) any firearm or ammunition involved in or used in any knowing
 2 violation of 18 U.S.C. § 924(c)(1)(A)(ii); (3) any firearm or ammunition involved in or used
 3 in any violation of any other criminal law of the United States, 18 U.S.C. § 1951; and (4)
 4 any firearm or ammunition intended to be used in any crime of violence, 18 U.S.C.
 5 § 924(c)(1)(A)(ii) and 18 U.S.C. § 1951 and is subject to forfeiture pursuant to 18 U.S.C.
 6 § 981(a)(1)(C) with 28 U.S.C § 2461(c); 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18
 7 U.S.C. § 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p):

- 8 1. \$4,227;
 - 9 2. a black Hi-Point C9 9mm handgun, bearing serial number P1492881; and
 - 10 3. any and all compatible ammunition
- 11 (all of which constitutes property).

12 This Court finds that on the government's motion, the Court may at any time enter
 13 an order of forfeiture or amend an existing order of forfeiture to include subsequently
 14 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
 15 32.2(b)(2)(C).

16 This Court finds the United States of America is now entitled to, and should, reduce
 17 the aforementioned property to the possession of the United States of America.

18 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
 19 DECREED that the United States of America should seize the aforementioned property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
 21 rights, ownership rights, and all rights, titles, and interests of Kevin Figgers in the
 22 aforementioned property are forfeited and are vested in the United States of America and
 23 shall be safely held by the United States of America until further order of the Court.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
 25 of America shall publish for at least thirty (30) consecutive days on the official internet
 26 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
 27 describe the forfeited property, state the time under the applicable statute when a petition
 28 contesting the forfeiture must be filed, and state the name and contact information for the

1 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
2 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
3 the government may instead serve every person reasonably identified as a potential claimant
4 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
5 Rule G(4)(a)(i)(A).

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
7 or entity who claims an interest in the aforementioned property must file a petition for a
8 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
9 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C.
10 § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
11 right, title, or interest in the forfeited property and any additional facts supporting the
12 petitioner's petition and the relief sought.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
14 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
15 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
16 not sent, no later than sixty (60) days after the first day of the publication on the
17 official internet government forfeiture site, www.forfeiture.gov.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
19 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
20 Attorney's Office at the following address at the time of filing:

21 Daniel D. Hollingsworth
22 Assistant United States Attorney
23 James A. Blum
24 Assistant United States Attorney
25 501 Las Vegas Boulevard South, Suite 1100
26 Las Vegas, Nevada 89101.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
26 described herein need not be published in the event a Declaration of Forfeiture is issued by
27 the appropriate agency following publication of notice of seizure and intent to
28 administratively forfeit the above-described property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED: August 24, 2021.

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7 JENNIFER A. DORSEY
8 UNITED STATES DISTRICT JUDGE
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